X-4 1949-50 File No. 288-49
References. (C.B) Serial Nos. 1, 3,

ferences.

GENERAL AND REVENUE SECRETARIAT

os. Two.

Part B for April 52.

SUBJECT

vernment servents' conduct Rules — Immovable property
ld or acquired by govt servents.

103-4 D 13-12-1950

Requests — 1) The ch. secy. to the govt of Madras.

2249 e.b.

Publicity Office — November 10, 1949

Daily Summary of News

States

Hindu, 10-11-1949

Hyderabad. H.E.H. the Nizam will shortly sign the provisional Instrument of Accession to the Indian Union, subject to ratification by the Hyderabad State Constituent Assembly.

Indian Union

Mail, 10-11-1949

Debt relief to agricultural Labourers. The Government of Madras do not propose to extend the provision of the Agriculturists Debt Relief Act to landless agricultural labourers as the question of separate legislation for giving relief to landless agricultural labourers is under their consideration.

Indian Express, 10-11-1949

Preventing textile shortage. As a measure to prevent the shortage of cloth in the country, arising out of unrestrained exports, the Textile Commissioner to the Government of India has asked all textile mills in India not to enter into any fresh contracts for the sale of textiles for exports, the delivery of which is to take place beyond March 1950.

Times of India, 9-11-1949

Tax exemption of Farm machinery The Government of the Central Provinces are considering proposals for exemption from the Sales Tax of tractors and their spare parts and fuel oil required for agricultural machinery.

Indian Express, 10-11-1949

Zamindari Abolition Fund. It is learnt that a sum of Rs. 1 crore and sixty-five lakhs has been contributed to the United Provinces Zamindari Abolition Fund upto the 3rd November 1949.

Hindu, 10-11-1949

Kerosene imports. The Government of India have decided to increase imports of kerosene oil immediately to meet all the reasonable requirements of the country.

SG MB

Indian Express, 10-11-1949

Advertisement Tax.

The Finance Minister to the Government of Bombay has said that the Government have no proposal to withdraw the advertisement tax during the current financial year.

Hindu, 10-11-1949

Government Servants' Conduct rules.

The Government of Madras have published a set of revised rules called the Government Servants' Conduct Rules, 1949, to regulate the conduct of Government servants. These are in supersession of the Government Servants' Conduct Rules, 1936.

Indian Republic, 10-11-1949

Currency notes in circulation.

A rise of Rs. 4.51 crores in currency notes under active circulation is revealed in the latest statement of the Issue Department of the Reserve Bank of India for the week ended November 4.

Times of India, 9-11-1949

Settling Labour disputes.

The Government of India are now engaged in drawing up an exhaustive Labour Relations Bill, which they hope will be acceptable to all Governments in India, and which, if loyally and sympathetically worked, should provide practical machinery for the settlement of all bona fide labour disputes, says the Labour Minister, Government of India.

Submitted for favour of perusal
Chief Secretary

CHIEF SECRETARY'S OFFICE
11 NOV 1949
GOVT. OF MYSORE.

14.11.49

Ag. Publicity Officer to Government.

BSR

Submitted

Refer A above.

If approved a copy may be obtained for refer.

2) Draft Release

14.11.49.

14.11.49

2219 C.B. 24-11-49

Govt of Madras — Govt. Servants' Conduct Rules, 1949

3) Submitted with a draft letter to the Govt of Madras for approval.

MB 17.11.49

4) Issued

ssmk 18/11/49

17.11.49

Sd/- C.B. 21-11-49 to the Chief Secy to the Govt of Madras

No. 4468/49-1 Dt 28-11-49 from the Chief Secy to Govt. of Madras, forwarding a copy of Govt. Servants' Conduct Rules for perusal.

5) Submitted with reference to Para 4 above.

A draft letter to the Chief Secy to Govt. of Madras, acknowledging the receipt of the Copy of Govt. Servants' Conduct Rules.

MB 30.11.49

If approved, the rules will be Compared with those existing in Mysore, and proposals for revision, if any, will be put up for consideration

Chief Secy)

ssmk 30/11/49

30.11.49

Govt. Also Council Servants Rules)

1/12 ssmk 1.12.49

CHIEF SECRETARY'S OFFICE 1 DEC 1949 GOVT. OF MYSORE

~~673~~ 3620
M

3/
D$ th nen possible
to find out from
the Madras Govt.
Go Zoölgy, if these
Euler have been
published therein

21/4

Serial No.

Daily Summary News for 10-11-49 recd. from the publicity office.

1) Subd. Edn. Secy's order on the p.u.d. & please try to get a copy of the revised rules mentioned ~~in the p.u.d.~~ at A above". ie in the p.u.d.

2) Subd. with a draft letter addressed to the Govt. of Madras.

18/11/ By — For appl

Edn Secy) 21/11

5) It was enquired in the Library and was learnt that the Gazette was on circulation. Above this fact was informed in person, the Edn Secy was pleased to order to await the return of the Gazette (Madras) Hence it has to be sent to library section for needful action

22/11/

5) Subd. This may be sent to the library section to kindly put up the Madras Gazette for reference and return.

29/11/ To Librarian, G.O.S. Library W.C.)

6) These Rules do not appear to have been published in the issues of the Fort St. George Gazette received here so far.

Recd 3/12

3.12.49 G.M. Br)

Office of the Minister for Local Self Government.

No. 3596

Date 3.6/12/49

Subd. with reference to para 3 (on the slip) above. A draft letter addressed to the Govt. of Madras is also placed below (already seen by the Minister)

5/12/ 7/12

For perusal before issue

Edn Secy

9/12

~~D.O.~~

Minister for L.S.G.)

31/12/49

28/12

31/12/49

RETAIN

31/12/49

31/12/49

NOTE—Contn. Sheet.

Serial No.

Embd. may the draft issue?

6/1/51

24/2

7/1

Do. The Chief Secy. to the Govt. of Madras No. M. 10362/ G-M. dt. 10.1.50

Requests to send two copies of the revised rules called the "Govt. Servants' Conduct rules" to regulate the Conduct of Govt. Servants' for reference. 949

government Servants Conduct Rules. 55/19
M.

Letter No 187/50-1 dated 16th January 1950 from the Chief Secretary to the government of Madras, forwarding two copies of the government Servants' conduct Rules.

Submitted with a draft acknowledging the same.

Dr 6/2/50 GBB

T.S. x x x 6/2. 6/2

To the chief Secy. to the govt. Madras.

No. M. 1265-9/GM dt 7-2-50

Acknowledges with thanks the receipt of copies of govt. Servants Conduct Rules.

B/.

Rec'd 18/4/50

On the reference received from the Madras Government. Reg 'A' the Secretary, has enquired as to what are the new Rules, which are not in force in here.

The question of revising the Govt. servants Conduct Rules is being dealt with in another file bearing diary no. 785. which has been submitted to the chief minister and this file may therefore be clubbed to it. and dealt with along with that file.

Meanwhile In the other file the receipt of the Rules relating to the Bombay Govt. are awaited.

12/9/50 GBB

After receipt of copies of the rules obtaining in Bombay, the entire question may be esd

PTO 14/6

SECRETARIAT TO GOVT. OF MADRAS No 2845 Date 15/6

Govt Servee Cerebral Reels
v Madras Govt 3620.
∴ M

I remember to have seen a similar file
on this matter; if so, please verify & trace it up.

Bombay Govt may be reminded in the matter
& requested to send a reply as early as practicable.

16/6
BB 17/6

The other file has been submitted to the
Chief Minister on 12.6.50. in diary no 1286.
On receipt of it, the file will be linked to it and
The Bombay Govt reminded

17.6.50
BB 17/6

Revision of Govt Servants' Conduct Rules

[App. F. III-2

General and Revenue Secretariat

File No. 2417/CB of 195

WD 07558—GPB—1,000—28-1-50

Serial No.

31) A revised draft S.O. is put up for consideration

mb 14.2.50.

32) Chief Secy) Sd/- 15/2/50

Sd/- 14.2.50.

33) Done & put up to C.S.

MS 17/2 sd/- 17.2.50.

CHIEF SECRETARY'S SECTION 16 FEB 1950 GOVT. OF MYSORE

34) Submitted. A memo to the Director of Printing requesting for the supply of printed ~~copies~~ copies of the O.M ~~is put up~~ is put up for approval. ??

mb 21/2/50.

35) Issue sd/- 22/2/50.

Sd/- 21.2.50.

36) Not issued yet

Pens Sec

37) The O.M is under issue. We are not calling for ~~us~~ from the retired officers, nor are we asking for us from about habilitis. I think it is unnecessary to do so. The Constitution of a Committee would be not desirable

[O.N. Rules 22 & 23 — flagged 'H' in the Manual of S.O's]

mb 28/3.

38) Chief Secy) MS 28.3

From the Chief Secretary No. S.O. 87 Date of Receipt 30/3

7644. 30/3/50

39)

1. This was discussed in the D.A
2. Reminders have to be issued, if necessary, to obtain all the Statements before 1.7.50
3. Revision of Rules may please be worked up.

VCa. 29/3

Note—Contn. Sheet

Serial No.

40) Has this been sent to Press as well? If not why? Why was no action taken between 22.2.50 and 28.3.50? The C.M. has said on the floor of the A.P. that this Rule is fixed on 20.2.50.!

41) Urgent

30.3.50

42) Submitted. The receipt of the printed copies of the O.M is still awaited from the Press.

43) Draft and fair of a reminder to the Dir of Printing is put up for approval and signature.

31/3/50

44) Issue

1.4.50.

31.3.50 No. 1.|CB dt 1-4-50 to the Director of Printing.

45) Action will be taken to obtain the statements from all the Depts before 1.7.50.

46) Regarding point 3. of the minutes of the Chief Ministers dt 29.3.50 in Para 39 above in respect of the revision of Rules for the conduct of Govt. Servants, reference is invited to A in Para 27 and Para 28 of the foregoing

Serial No.

notes wherein it is stated that the question of the revision of rules will be taken up when additional staff is made available to the C.B

47) A copy of the rules in force at present in the State of Madras is to be received here. Before taking up the revision of Rules it may be desirable to obtain copies of the Rules that are in force in the States like Bombay and Bengal and the Union Govt.

MB 1/4/50

48) Please telephone and get the copies from the Press immediately. It is unfortunate that in the rush of work during the last few days this matter was lost sight of.

49) This may be put up again after the issue of the O.M.

1.4.50.

50) Printed copies of the O.M. received to-day 11.30 A.M. are being sent to the addressees.

O.M. No. 11078-11173-CB 208-49-I dt 20-2-50 to Secys to Govt, Heads of Depts and the Dy Comrs

51) Submitted — References Paras 27, 28, 39, 46 and 47

MB 3.4.50

52) Questions relating to the revision of rules covering many matters are coming up

NOTE—Contn. Sheet.

for Consideration, and these have to be Carefully studied, Compared with similar rules elsewhere, and fresh rules have to be framed, if necessary, to suit the requirements of the new set-up. C. B. is finding itself increasingly difficult to handle these new unallotted Subjects — without adequate and Competent staff to do the work.

53) It is therefore submitted that the revision of the Govt. Servants' Conduct Rules may either be held over for the present or transferred to another branch

3.4.50.

54) This is a question that has to be dealt with in the Gen. His Section of the Medical Branch. It may, for the reasons explained, be transferred to the Med. Br for further action

55) Chief Secy! Jcmr 4/4/50

CHIEF SECRETARY 154 4 APR 1950 GOVT. OF MYSORE

56 As may be done.

57) The O.M. now issued has to be supplemented by another allowing for Short-falls & liabilities also in view of the C.M.'s Short-fall on the floor of the Ho. Please do this & then transfer the file to Est.

6/4/50.

Jcmr 4/4/50.

Govt Servants' Conduct Rules

[App. F. III-2

General and Revenue Secretariat | File No. 2417/CB of 195 | WD 07556—GPB—1,000—28-1-50

Serial No.

58) A draft O.M is put up for approval

MB
5-4-50

59) The Arts. of Gen. Circulars and Standing orders ~~[illegible]~~ quoted in the draft O.M. do not seem to bear on the case.

60) It appears to be necessary clearly to define what is meant by "liabilities". According to the dictionary, "liabilities" mean "debts or pecuniary obligations", and unless defined, may mean almost anything.

61) Please put up a Copy of the St. made by the Chief Minister on the floor of the L. A. (printed Copy of proceedings).

6.4.50 62) The Secy. Legislative Assembly may be requested to send printed copies of the L.A proceedings urgently.

63) A corrigendum note in the matter is put up for approval.

MB
7.4.50.

64) Issue
sd/-
8-4-50

7.4.50 65) Issued this letter No 532/CS to the Secretary Legislative

Secy

65) A copy of the ~~official~~ official report of the L.A. Session (28th March 1950) which was issued only on 25-4-50 is put up herewith as desired. Reference pages 500-501 of the report containing the ~~speech~~ statement made by the

5

NOTE—Contn. Sheet

Serial No.

chief Minister on the subject

66) The arts. 303 to 306 of the Manual of General Circulars and S.O's prescribe rules regarding action to be taken on officers who are prone to indebtedness when such a state of affairs is brought to the notice of Govt. In addition to this, It is expected of the heads of offices ~~to~~, in accordance with ~~as~~ the note at the end of the Art 306, to have a sympathetic watch over their subordinate officers to prevent them from falling into such circumstances

67) Further, Art 8(1) of the Prevention of Corruption Act 1948 which was read by the Chief Minister on the floor of the L.A. in this connection reads as follows:

"~~The Govt. may enquire~~ ---

"The Government - ---- may require any person who has been or is a public servant to furnish a true and correct statement of all property whether moveable or immovable, ~~and~~ income and such other particulars in respect of his own property or income - - - - - - - "

Perhaps under this article, ~~of~~ the ~~the~~ Govt may require ~~Govt~~ of persons who are in service as well as who are retired from service to declare

Rule for the conduct of Govt. Servants

Serial No.

their assets as well as liabilities. It may be necessary in the first instance to request the Secty in the Law and Legislation Branches to examine this aspect and to indicate the lines on which the O.M in question may be proposed.

mnb
27.4.50

68) Under existing orders, it does not seem to be obligatory on the part of Govt. Servants to declare their "liabilities" except when specially called upon to do so under the Prevention of Corruption Act or otherwise. The Hon'ble Chief Minister's Statement on the floor of the Legislative Assembly does not seem to contemplate anything beyond the existing rules so far as the declarations are concerned.

69) In the circumstances, it is for kind consideration whether another O.M. is necessary calling for information about liabilities also.

70) The issue of such an O.M, if decided upon, would require detailed examination of the legal, administrative and other aspects of the question, and as it may evoke considerable criticism and even legitimate resentment as an inroad into one's private life, the advisability of calling for such statements seems to require most careful consideration of the

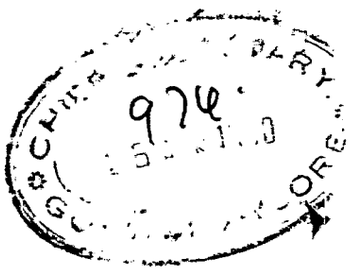
Note.—Contn. Sheet.

possible reactions to it.

28.4.50.

71) Refee. para 57.

72) Chief Secy) Secy R 28/4/50



73) Please see linked file in which Madras Rules are placed. The C.S. has said to the L.S. that our rules wd. be revised in the light of Madras & Bombay Rules, and he has also said that the desirability of extending these rules to pensioners wd. also be examined.

74) These aspects may be worked up

28/4/50

28/4/50.

75) The Madras Rules are similar to this Govt Rules in the matter of immovable properties held or acquired by Government Servants and the insolvency or habitual indebtedness on their part. ~~The Govt~~ There is no provision in the Madras rules for declaration of their liabilities to Govt. ~~not accepted~~ ~~that case~~ nor there is any indication ~~that~~ of these rules being made applicable in the case of retired Government Servants. If the existing rules are

In these days of high cost of living, it is no wonder that most Govt officials are in debt & it is not upto us even to investigate in the matter by us

Govt. Servants Conduct Rule 785

[App. F. III-2

Serial No.

to be made applicable to ~~the~~ retired officers also, they ~~have~~ have to be revised under the ~~Act~~ Prevention of Corruption Act after careful examination as suggested in Para 67 above.

mb 29.4.50 79) for orders whether the issue of an OM as instructed at para 57 may be held over till the question of the revision of the rules is examined, and whether the file may be transferred to the Medical Branch for examining the question as already approved at para 56 – with special reference to the statement made by the Hon'ble Chief Minister on the floor of the L.A.

GENERAL & REVENUE SECRETARIAT 4 MAY 1950 MEDICAL BRANCH

O.N. The relevant extracts from the file regarding the submission on by officers of the statements of immovable property held by them have been taken in order to watch the receipt of the statements in time.

mb 4/5/50

80) The issue of OM may perhaps be held over. If approved, the file will be transferred to the Medical Br for further action as already approved in para 56 of the notes.

29.4.50.

CHIEF SECRETARY 1 MAY 1950 GOVT OF MYSORE

Chief Secy) xxxR 1.5.50

81) Yes. The Bombay rules shd also be obtained, if not already obtd. and Examined.

xxx Sri. MVN 3/5

Rec 79

Sri M. B.

Asst Secy 1.5.50. xxxR 1/5/50

Hes WC

82) Please remove papers which are not meant for transfer e.g. notes from paras 1 to 30.

Rec 1/5

83) Sahib. The above have been removed from the file and will be recorded in this Branch

82) A draft letter to the Chief Secy, Bombay Govt is put up for approval under

83) Joined letter no. M. 2428/8-5-1950. Requesting him to send a few copies of the rules.

NOTE—Contn. Sheet

Government servants conduct Rules

1510/18C/1236
M.V. M

File No. of 19 | General and Revenue Secretariat

Serial No.

Letter no. O 12-21281-D of 18.5.1950 from the Chief Secretary to Govt of Bombay stating that copies of the Bombay Civil Services Conduct, ~~and~~ Discipline and Appeal Rules are under print, and a copy has been ~~instructed~~ arranged to be supplied as soon as they are ready.

85) For favour of Perusal, with reference to para 81. The receipt of the same will be awaited.

88) [illegible] 23/5

23/5

Letter no. D 1401/1950/C1 of 31.5.1950 from the Superintendent, Printing & Stationery Depot, Bombay, stating that a copy of the advice will be supplied when ready.

89) For favour of perusal

(Ho.S & Secy)

9/6/50 IV

19/6/50

88) May be awaited

(Chief Minister) 10/6

89) H.E.D. 7/6/50

90) 19/6/50

7/6

Asst Secy
re c.s.

OFFICE OF THE MINISTER FOR FINANCE & INDUSTRIES.
No. 1619
Dt. 17-6-50

Referred by the Hon'ble Chief Minister's office 19/6

16/6

1994
M

1040/CB-A

C. F. 74.] WD 03286—GPB—25,000—1-8-48

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Subd

91) The C.B file no. 2417/C.B regarding the examination of audit on the control over the assets and liabilities of Government Servants was sent to the Asst. Secy G.O. Branch on 2-5-50. The Audit Branch may be requested to return the file immediately with remarks, if any.

MRB
19.6.50.

Asst Secy
Mrs NJC

92) SKMP
20/6/50

BB 20/6

93) The file in question is put up. The file was received in this Br. for taking action ~~action~~ for revising with the Government Servants' Conduct Rules. Action has been taken to get a copy of the Rules of Bombay Govt in this behalf and the same is awaited. The file will be required on receipt of the above rules.

BB 20/6

Asst Secy
C-B-N-2

GENERAL & REVENUE SECRETARIAT
23 JUN 1950
CONFIDENTIAL BRANCH

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Govt. Servants Conduct Rules 1994/49

C. F. 74.] 1040/C-B-A WD 03286—GPB—25,000—1-8-48

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

97) Subd. The file may be returned to the G.M. Branch for ~~expeditious action~~ ~~forwarding~~ expeditious action regarding the revision of rules. A copy of the circular letter issued on 29-6-50 is placed in the file for their reference.

MS
29.6.50

Asst Secy 98) Temp
MS. wse 30/6/50

BB1/7

29.6.50.

Letter no. 2121 of 1950-51 of 27th June 1950. from the Superintendent, Government Printing and Stationery, Bombay. forwarding a copy of the Govt Servants' conduct ~~Servants' Co~~ Rules.

99) The only rule relating to liability in all the three Rules is the one relating to insolvency and national debts which is more or less the same in all the three. But there is no provision to disclose ~~copy~~ the particulars of all liabilities by Govt servants.

Why is mis paper delayed?
GSO 7/12/50

wtse is the copy? I do not find it in the file.
GSO 7/12/50

put up to
7/12/50

N.B.—*Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.*

Revision of Government Servants' 28/86
Conduct Rules.

100) The Rules of the Bombay Government are those framed in 1956. Though these seem to be the ones in force at present as they are published in 1950.

101) So far as immovable properties is concerned, the Rules of Madras, Bombay and Mysore prescribe for the periodical submission of these particulars. But no mention is made anywhere of immovable properties or for disclosure compulsorily.

102) As regards pensioners there is no mention in any of these rules that these are applicable to Retired Government Officers. Whether the retired Government Officers can be compelled to furnish the particulars of properties acquired by them during their service is not clear from the rules. Hence the Govts of Bombay and Madras will be requested to intimate if there exists any rules enabling them to call for the particulars of immovable properties of the Government servants. Further this Act/ and (2) calling for any particulars regarding properties acquired by from Retired Government servants.

103) A draft is put up for appl of rules.

104) As regards Section 8(1) of the Prevention of Corruption Act 1948,

Revision of Government Servants Conduct Rules.

referred in para 67, it is stated that the Government may require any person who has been or is a public servant to furnish a true and correct statement of all property, movable or immovable, income and such other particulars in respect of his own property or income, or of property or income by whomsoever, such property or income may be held on behalf of the public servant concerned

(105) It is doubtful whether this section enables the collection of particulars for Retired Government servants, as it only refers to a person who has been or is a public servant. It does not refer to persons who had been Govt servants or who were public servants. The Law section may perhaps be consulted in the matter.

WR
6.12.58

(106) BB. The copies of the relevant Acts rules received from the Governments of Bombay and Madras are put up, as also the the prevention of corruption Act.

(107) As the revision of the rules requires a comparative study of the rules in force in the three Provinces, and as Government servants are doing duty in the Assam Earthquake Relief Work for the last 2½ months, they cannot be submitted earlier. The delay may kindly be excused. This was unavoidable in the circumstances. R.S.G.

WR 7/12/58 BB. Section I

GRO 12/12 T.S XXY

GRO 5 officer

Sri Aiyar 12.

3997 Revision of the Government Servants Conduct Rules 2886 6044 CS

Issued letter nos. 18108-4 of 13.12.1950 to the Chief Secretaries to the Governments of Bombay and Madras requesting 50 copies of the Rules re: immovable properties and Pensioners

109) The opinion of the Law Branch may perhaps be obtained whether the sec. 8(1) of the Prevention of Corruption Act could be made applicable to Pensioners calling on them to furnish particulars of movable & immovable properties and liabilities acquired and incurred while in service. vide Paras 67 and 104 and 105 of 110) Gno (SR Nair 20/1

Laws 187/Gn/50 19/1/51

111) Section 8(1) of the Prevention of Corruption Act provides ~~that~~ for furnishing particulars of property by any person who has been or is a public servant The point for consideration is whether this could be made applicable to retired Government servants x also. It is doubtful if the words "who has been a Government ~~may~~ could be construed to refer to persons who are pensioners. The reports from Bombay and Madras may also be awaited.

A/

112) fr 30/1

Laws)

113) I think it could be made applicable. Also may be done. 1889 27/1 29/1

Asst Secy CS)

SECRETARY, LAW DEPARTMENT 2 JAN 1951 GOVT
GENERAL & REVENUE SECRETARIAT 29 JAN 1951 CONFIDENTIAL BRANCH.

(157) Revision of Govt. Servants Conduct Rules 1937.

BOH4/ER.

114 This has been sent to C.R. 1/8624/51. Sri may be sent to Med Rr

HPD 30/1/51. Asst Secy (Mrs WJE) 30.1.51.

115 Amn 30/1/51 Gen Sd(1/57) 12w 31/1

Letter no. 1581/34-1 Political and Services Department from the Chief Secretary to the Government of Bombay.

Letter no 4 & 27/50-2 (Public Services Department. dt 5-1-1951, from the Chief Secretary to the Government of Madras. &

116) These may be referred to the Law Branch. for ~~expeditious~~ information, in reference to paras 111 and 113 supra. The opinion of the Branch may be got in the light of these references.

117) Gen 9/2/57

Under Secy (Law) 31.1.57 BB

118) Law Secy (Judicial) 18/2

119) Legis Secy 22/2/57

120) Asst Secy (Legis) 23/2

Sri K.N.G. 23/2/57

LEGISLATIVE DEPARTMENT GENERAL & REVENUE SECRETARIAT 23 FEB 1950

Amendments to Govt Servants Conduct Rules

3373/KD. 3997/Law 2886/M 3997/Ce

121) The Prevention of Corruption Act, 1947 (Central Act II of 1947) is one of the Acts being extended to the State from 1st April 1951 by virtue of the Part B States (Laws) Act, 1951. In view of this, the Law Dept may be requested to re-examine the opinion furnished at para 111 above, if any, this will be referred to the Law Dept.

122) 12/3

123) Law Secy) Law Secy. 12/3

12/3/51 mas 12-3-51.

SECRETARIAT OF GOVT. OF MYSORE 12 MAR 1951

124) The legal opinion which has been furnished at paras 113 is as regards the legal position as under the provisions of the Prevention of Corruption Act as it stands now, in Mysore. There appears to be no ground to re-examine this opinion. But if any doubts are entertained in respect of any of the provisions of the Central act (Act II of 1947) which will come into force in the State from 1st April 1951, then, the Legislative Department may specify the doubts with reference to the particular provisions concerned, and require legal opinion thereon.

Lawsecy) 18/3

LAW DEPARTMENT 11688 12 MAR 1951

125) Please peruse Central Act II of 1947

Amendment to Govt Servants Conduct Rules

126) In the Central Act II of 1947, there is no provision corresponding to sec 8 of our Act (Act 43 of 1948). Now that under Part B States (Laws) Act, 1951, the Central Act II of 1947 becomes law in Mysore from 1-4-51, the question arises if under sec 6 of Part B States (Laws) Act, the whole of our Act 43 of 1948 including sec 8 is to be deemed to have been repealed or if it can be held that sec 8 continues to be in force, on the ground that the law in sec 8 of our Act does not correspond to any provision in the extended Act. I am inclined to the latter view —

124) Under sec 8 of our Act 43 of 1948, the words "any person who has been or is a public servant", includes person who have just retired from servi- This appears to be the force of the present perfect tense used - further sec 8 does not in my opinion enable enquiry into simple money debts or personal liabilities of the public servant, except in relation to property or income —

Chief Secy)

5/4/51

5/4

CHIEF SECRETARY
LSD
6 APR 1951
128
GOVT. OF MYSORE

6/4/51

157) Amendments to Govt. Servants Conduct Rules.

8624 6044/ed.

129) The legal opinion furnished in the above paragraphs is with reference to 5094 Paragraph 116. There does not appear to be anything to note in the chief Secrt. The file may be referred to the Ld. Sec. for taking further action

Asst Secy. Ld)

11.4.57.

11.4.57.

130 Secy 12/4/57

Govt 14/4

131) An officer on Spl Duty in the Secretariat has been entrusted with the work of bringing up to date the Secretariat Manual of General Circulars. This Manual to contain Standing Orders. Govt servants Conduct rules are also to be prepared as to keep pace with the Manual of General Circulars & Standing orders. The file may be sent to the Spl officer. vide Govt No. Ch. S. 775-851/54 dt 22-51-1 & 20-4-51 (copy & papers) Secy for taking further action in the matter.

Mr. MVN. 14/4

134) No orders have been passed to amend Govt Servants Conduct Rules - what is the use of sending the file to the Spl officer

Sec 29/XI

Education Secy 22/11/51

132) Govt 22/4

133) Secy (Ld) 22/11/51

Govt 28/4

EDUCATION SECRETARY
22 NOV 1951
GOVERNMENT OF MYSORE

No 8905
23/11

135) Here the point for orders is whether the Govt-Servants' Conduct Rules can be revised so as to require Govt Servants to disclose their moveable properties liabilities also. While making the stt of immoveable property under

Amendment to Govt Servants Conduct Rules

3625

5094
M.

doubtful if a general order requiring all Govt Servants to furnish the particulars can be made. Before the particulars can be called for Govt must be of opinion that the information is necessary for purposes of investigation or inquiry into offences under the Prevention of Corruption Act or under Sections 161, 164 & 165 I.P.C. Also the wording of the section appears to indicate orders in respect of specified persons only & not general orders applicable to all Govt Servants

A.

13?) For favour of remarks re: 'A'

29 NOV 1951

Law Secy).

Secy 29/XI

Govt 29/XI(S)

Law Secy 29/11

13?) The view as at para 126 may not be the finalised view; the same may require further consideration in the light of more recent interpretations of Sec. 6 of the Part B States Laws Act with reference to certain repealed State enactments.

3625/16

Prevention of Corruption Act — S. 8 interpretation of

Sec. 6 of the part B States Laws Act repeals the corresponding law and the savings therein do not cover any section or portion of the law so repealed. The expression "any law corresponding" in the said sec. 6 cannot be so narrowly interpreted as to mean "any law identical with". If the subject matter of any state law is essentially or substantially the same as that of any central law extended under the part B States Laws Act, then the State law would be the corresponding law which becomes repealed under Sec. 6: [It may, however be stated that where a State law relates to ~~more~~ different subject matters, but ~~the~~ any central Act ~~law made~~ extended under the part B States Laws Act relates only to one or some of such subjects, the State Law would stand repealed only in so far as it relates to those subjects covered by the central Act; in respect of the other subjects, it may continue to be valid since it will not be in the position of a corresponding law so far as they are concerned]. In the present case, there is identity ~~of~~ as regards the object of both these enactments and there is similarity in the subject matter dealt with by them. Therefore, there can be no doubt that the impugned Act is the corresponding law hit by the repeal under sec. 6 of the part B States Laws Act. It appears to me that no section of the said impugned law can be saved, merely on the ground that there is no corresponding section under the extended Act. Sec. 8 deals with the same subject matter as the central Act and must necessarily be viewed as part of the corresponding law which stand repealed. Any other view would be opposed to the spirit of sec. 6 of the part 'B' States Laws Act and may result in repugnancy to the extended central Act.

Lawrence
M.J.

10 JS 2
26 DEC 1951
OF MY MAJ

139) In another connection arising out of certain

Prevention of Corruption Act
Govt Servants Conduct Rules. S. 9(1) 509/1

delegation of powers etc to the Director of Anti Corruption. I considered this point as to how much of the powers of the Prevention of corruption Act must be delegated as referred by the Central Act — The file may be in the Edn Secty — If or a copy of my note may be obtained if not

Secy Edn)

Done 28/12

Received 28 DEC 1951

Srigs 3/1140 Sww. A copy of the note referred to above is placed below. May be sww to the Law Secy.

Law secretary)

Sww 11/2/52 Srigs 12/2

141) U/s Law with please perse the copy of my previous note put up & record his further views, if any on the point ex by him in para 138.

Done 18/2

Received on 9.1.52
18 FEB 1952

enable an enquiry into the simple money debts or personal liabilities of the public Servant, except in relation to property or income. Hence there can be no general rule requiring Stts from all retired Govt Servants or requiring all Govt Servants to disclose their liabilities. If any such information Stt is reqd from a Govt Servant who has just retired from Service, it would be better to call for it in particular cases only as under Sec 8(1) of the Bribery Prevention of Corruption Act.

13b The next point is whether the Stt now being got re: immoveable property may be enlarged so as to include moveable property & income also through Sec 8(1) of the Bribery Prevention of Corruption Act enables Govt to call for such particulars, it is

Amendment to Govt Servants Conduct Rules

3625

8394
M.

doubtful if a general order requiring all Govt Servants to furnish the particulars can be made. Before the particulars can be called for Govt must be of opinion that the information is necessary for purposes of investigation or inquiry into offences under the Prevention of Corruption Act or under Sections 161, 164 & 165 I.P.C., Also the wording of the section appears to indicate orders in respect of specified persons only & not general orders applicable to all Govt Servants. A.

(37) For favour of remarks re: 'A'.

9/5
28/XI/1951

Law Secy).

Sd/
29/XI

Govt 29/XI/51

Law Secy 29/11 29/11.

(38) The view as at para 126 may not be the finalised view; the same may require further consideration in the light of more recent interpretations of Sec. 6 of the Part B States Laws Act with reference to certain repealed State enactments.

Amendment to Govt Servant Conduct Rules with refce: to Prevention of Corruption Act.

5094
M

142) There is no difference of opinion on the point that the Mysore Act, viz. Act 43 of 1948, is the "corresponding law" in relation to the extended Central Act, viz. Act II of 1947. But the subtle point for consideration is, whether the provisions of Sections 8, 9 and 10 of the Mysore Act are matters not within the competence of Parliament and therefore can be held to continue in force in spite of the extended Act. This particular Act, viz. Mysore Act 43 of 1948 is not one of those enactments which relate to a number of subject matters. The sole subject matter of both the Central Law and the State Law is ~~the~~ prevention of corruption, which is itself part of Criminal Law in its widest sense. Criminal Law under the Constitution is a concurrent subject falling under Entry I of List III read with Entry 93 of List I and Entry 64 of List II. Having regard to these Entries and the subject matter of the Central Act, it may be difficult to seriously question the legislative competence of Parliament to enact such a law as the extended Act. No doubt, the extended Act does not contain provisions corresponding to Sections 8, 9 and 10 of the Mysore Act. Section 10 merely relates to the appointment of certain officers with powers to take action under the Act. Provisions in some respects similar to Section 10 of the Mysore Act are found in Sections 3 to 6 of the Central Act. Sections 8 and 9 of the Mysore Act contain provisions relating to the exercise of certain powers which are considered necessary for the proper workin of the Act. Such provisions could be considered merely as being ancillary to the principal subject matter of the Act. Relying on the principle which underlies the doctrine of

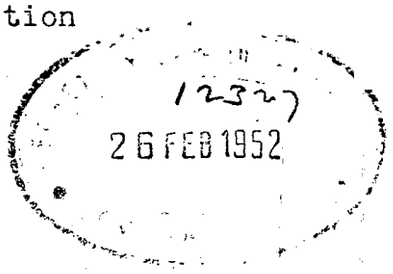
Not all crimes but only those which relates to matters in List I or III.

'3625/Law.

Promotion & Completion Rds — Re Validity of S. 8, 9, 10

pith and substance which has been discussed in the Supreme Court decision: State of Bombay v. Narothamdas (1951 S.C.J. page 103), it would appear that had Parliament considered ~~the~~ it necessary to include in the Central Act sections similar to Sections 8 and 9 of the Mysore Act, the validity of those Sections could have been sustained by the application of the doctrine of pith and substance, irrespective of the question of the legislative competence of the Parliament to enact any independent law in respect of the matters covered by the said Sections. Therefore, the net result is that since Sections 8 to 10 of the Mysore Act relate merely to matters ancillary to the principal subject matter in respect of which Parliament was competent to enact the Central Act, and also because the pith and substance of the corresponding law in the State is the same as that of the extended Central Act, it may not be possible to contend that Sections 8, 9 and 10 would be saved notwithstanding the repeal of the said corresponding law under Section 6 of the Part B States (Laws) Act.

143) As regards separate legislation either by way of amendment (of the extended Act) or otherwise, the matter would need further examination depending upon the nature and the particulars of the legislation that is proposed.



Lawfeey

144) Even after further consideration, I am inclined

8625/Law

to stick to the opinions already recorded by
me in paras 126 & 127 but in D.No M 1796/AE
re: conferring certain powers on the Director
of the HEA.

145) In my views, ~~it is possible to~~ Sections
8, 9 & 10 of the Mysore Project Act may
be held to be in force in spite of the extension
of the Central Act under Part B (States) Laws Act —
As re: the desirability or otherwise of —
issuing a general order under sec 4 as
proposed, I agree with the views of
the Secy (Leg) at A in para 136 —

Secy (Leg)

29/2/72

Min/Pr

Govt No. 1375/Leg/72 dt 9/3/72 L. & E. DEPARTMENT

9/3
1/3

146) Paragraphs 127, 136, & 145 are for perusal with reference to paras 57 & 73. The Law Secy has opined that Section 8 cannot be made applicable to persons who retired from Govt Service long back and that it cannot also be resorted to to enquire into simple money debts or personal liabilities of public servants except in relation to property or income. It is also seen that even the particulars which can be have to be

furnished under Sec 8 of the Prevention of Corruption Act 1988 can be called for only from specified persons after Govt have formed the opinion that such info is necessary for purposes of investigation ~~into~~ or inquiry into offences under the Prevention of Corruption Act & under Sections 161, 164 & 165 I.P.C. Hence there is no scope for issuing general orders applicable to all Govt Servants, requiring that ~~particulars~~ information re: all property movable or immovable, income and such other particulars of his own property or income or property & income of whomsoever such property or income may be held on behalf of the Govt Servant concerned or of property or income of relations dependent on the Govt Servant concerned, should be furnished. Except in case of particular persons who have

3625/Rev 7458/CS

just retired from Service, and when the information is required for investigation or inquiry into offences under the Prevention of Corruption Act or Sections 161, 164 & 165 I.P.C the info cannot be called for from retired Govt servants.

147) For orders re: the further action, if any, which has to be taken.

Chief Secy
Hon'ble
Chief Secy

K S
3/3
MAR 3/3

REVENUE SECRETARIAT
524
- MAR 1952
I & F SECRETARIAT

148) The proposal to issue a Standing Order requiring Govt servants (~~Secretaries~~ who are in service as well as those retired from Govt service) to declare their assets and liabilities arose ~~out~~ as a sequel to the statement made by the Hon. Chief Minister on the floor of the A.A during March 1950 and the minute of the Hon. Chief Minister recorded at para 39 above. This was to be ~~in accordance with~~ under the provisions of the Prevention of Corruption Act 1948. The advice of the Law Dept is to abandon the proposal and the position in this behalf is ~~crystallised~~ indicated in a concise manner at para 146: If approved, the Dir of A.C. & E.A and the Educ Secy. may be requested to offer ~~his~~ remarks in this behalf before the issue is

(12)

Amendment to Govt Servants' Conduct Rules in accordance with the provisions under the Prevention of Corruption Act 1948 & 1458/Chs. finalised and submitted for orders.

mb
6.3.52

149) Refer paras 37, 39(3), and 81.

6.3.52. 150) Chief Secy)

151) Mem Law (A mm)

mmk
8/3/52

CHIEF SECRETARIAT
10124
10 MAR 1952
GOVT. OF MYS

26/3/52

am
25/3/52

Office of the [illegible] for [illegible]
No. 9198
Date 31.3.52

152) I do not think it necessary or desirable to amend the Rules as they are at present. Whenever there is any complaint or suspicion aft any Govt Servant that he has made any property in a corrupt manner or by corrupt means we have the power to call for the Particulars referred to in the suggestion; and that has been working well enough & must continue. These Papers may be filed. RTD 25/3

OFFICE OF THE CHIEF MINISTER
No. 10801
Date 27/3

153) Kile. 28/3/52

154) Chs

CHIEF SECRETARIAT
31 MAR 1952
GOVT. OF MYSORE

2/4/52

dcm
3/4/52

Serial No.

7458/CS.

155) If approved, the Medical Branch (Govt Secretariat) may be requested to return the linked file with the view for taking further action and ~~[illegible]~~ to return the present file to the Chief Secretariat after perusal by the Secy. L.S.G.

4-4-52 — Refer para 147.

4.4.52

Asst Secy Revenue 5/4/52

5.4.52

Govt 7/4

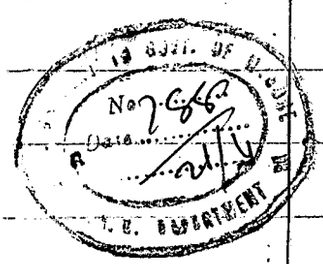
12w 7/4

Submitted with reference to para 155 supra. Orders of the Honourable the Chief Minister and Honourable Minister for Law & Labour are for perusal in paras 152, 153 Supra, are for perusal

Sam 18/4 L.S.G 19/4

L.S.G Secretary

Govt 21/4



21/4

Govt 21/4

Submitted for perusal before closing the file

Sam 22/4 L.S.G 22/4

Govt 23/4

Sam 23/4

NOTE—Contn. Sheet.

Note of the Law Secretary in the file bearing Dairy No.M. 1796 RE: Conferring certain powers on the Director of Anti Corruption & Efficiency Audit

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X x x

124) I find from a study of the papers in this file that in respect of the four drafts (flagged A,B,C & D), no legal or constitutional objection is raised by my predecessor. It is only in respect of the draft order (flagged 'E'), that my predecessor has agreed with the office note put up by the Legislation Branch, pointing out that though there is no legal objection to empower the Special Officer with the powers of a Head of a Department for purposes of Chapter X of the Manual of General Circulars and Standing Orders, Article 309 of the Constitution requires provision to be made for this purpose by His Highness. Chapter X of the Manual referred to deals with misconduct and punishment of Public Servants and prescribes rules for the enquiry necessary before inflicting the punishment. Articles 309 enables the Legislature to make laws to regulate the recruitment and conditions of service of Government servants. The Proviso to this Article empowers the Rajapramukh to make rules for this purpose pending action by the Legislature. Article 310 deals with the tenure of office of Government servants and Article 311 prescribes certain conditions to be observed before such servants are dismissed or otherwise punished. Article 313 deals with the transitional stages and provides for the continuance even after the constitution came into force of "all the laws in force immediately before the commencement of this constitution and applicable to any public service or

any post which continues to exist after the commencement of this constitution".

In Article 366, "existing law" is defined so as to include orders, rules or regulations made before the commencement of this Constitution by any authority or person having power to make such orders, rules or regulations. I am therefore of opinion that the rules in Chapter X of the Manual continue to be operative even after the commencement of the Constitution, subject to such laws or rules that may be made by the Legislature or the Raj Pramukh under Article 309. As the draft order (flag 'E') proposes to make some alterations in the rules in Chapter X of the Manual, by giving certain powers to the Special Officer which are not to be found in the Rules, it is desirable to issue the orders under the Rule-making powers vested in His Highness under the Proviso to Article 309 of the Constitution.

125) Regarding the issue of draft Notifications sper flags A, B, C & D and also as per flag F under ections 8, 9, 10(1), 12 and 10(2) respectively of he Mysore Prevention of Corruption Act, 1948, there s now a legal difficulty on account of the extension of the Central Prevention of Corruption Act, 1947 by the Part B States (Laws) Act, 1951. The Central Act contains no provisions similar to provisions in ections 8, 9 and 10 of the Mysore Act. Section (c) of the Central Act which deals with the previous sanction necessary for prosecution of Govt. rvants removable without the sanction of Government, is materially different from Section 12(b) of e Mysore Act dealing with the same subject. While ler the Mysore Act Government is enabled specially empower certain officer or officerss in this

behalf, the Central Act gives the power only to the authority competent to remove the Government servant concerned. In other words, under the Central Act, no notification as per flag D can be passed. The question therefore that is to be considered is how far the Mysore Act is repealed by the extention of the Central Act from 1.4.1951 under the Part B States (Laws) Act III of 1951. This depends on Sections3 and 6 of the Part B States (Laws) Act. A careful examination of these sections clearly leads to the conclusion that if the extended Act isone which Parliament has power to make either under the Union List or the Concurrent List, it must be deemed to repeal any State law corresponding to the extended Act from the appointed day which has been notified to be 1.4.51. Now the Mysore Prevention of Corruption Act, 1948 was enacted for the identical purpose for which the Central Act II of 1947 had been enacted, as the preambles of the two Acts clearly indicate. The Mysore Act is therefore State law corresponding to the extended Central Act II of 1947.

126) The next point is if the provisions in Sections 8, 9, 10 and 12 of the Mysore Act are matters not within the competence of Parliament to enact, in which case they can be held to continue in force in spite of the extended Act, as in the case of provisions for a Sanitary Board in the Mysore Mines Act and the Taxation Provisions in the Mysore Motor Vehicles and Taxation Act, 1944. So far as Section 12 of the Mysore Prevention of Corruption Act is concerned the corresponding provision in Section 6 of the Central Act must be held to repeal Section 12 of the

Mysore Act, because the legislative competency of Parliament to enact a provision like Section 6 cannot be questioned. It deals with Criminal Procedure which is within the Concurrent list (Item 2). As regards Sections 8, 9 and 10 of the Mysore Act are concerned, Sections 8 and 9 impose certain liabilities on Government servants and also on persons and institutions having financial or other transactions with Government servants. Failure to furnish particulars regarding property or furnishing false information on the part of a Government servant is made an offence under Section 8(2). Any person or institution failing to furnish the particulars relating to the financial or other transactions of a Government servant is also made an offence under Section 9(3). Section 10 provides for Government appointing a Special Officer for Anti Corruption Measures and enables Government to confer on such officer the powers of a Deputy Commissioner under the Mysore Police Act, 1908. Section 10(2) enables Government to appoint certain Police Officers to work under the Special Officer appointed under Section 10(1). It is only criminal law including all matters included in the Indian Penal Code at the commencement of the Constitution that is included as Item I in the Concurrent List. It specifically excludes offences against laws with respect to any of the matters in the State list. Sections 8, 9 and 10 of the Mysore Prevention of Corruption Act, in my opinion, governs matters relating to State Public Services which is Item 41 in the State List. They also deal with public

order and Police which are Items 1 and 2 in the State List. It appears to me therefore, possible to contend that the provisions in Sections 8, 9 and 10 of the Mysore Prevention of Corruption Act, 1948, are provisions not within the competence of Parliament but within the exclusive jurisdiction of the State. If this view is correct, these sections viz. sections 8, 9 and 10 of the Mysore Act cannot be said to have become repealed inspite of the extension of the Central Act II of 1947 from 1-4-51. There will, therefore, be no legal or ~~xxxxxxxxx~~ constitutional objection to the issue of draft notification as per flags A, B C & E. So far as draft notification as per flag D is concerned, as Section 12 of the Mysore Act must be held to have become repealed by virtue of Section 6 of the Central Act, this notification cannot issue.

127) As the question of the continuance in force of sections 8, 9 and 10 of the Mysore Act after the extension of the Central Act from 1-4-1951 is open to some doubt and difficulty, I suggest that it is better to enact a fresh law covering the provisions of these sections and others that may be necessary before taking further action in the matter.

Saxena
14/2

Government Servants' Conduct Rules:.

[F. 74.]

WD 03286—GPB—25,000—1-8-48

Immovable properties - held by Officers.

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Government servants' Conduct Rules.— Immovable properties in Mysore State:— Chief Secretary's circular letter no 6738-6837/CB. 27/37 dt. 2-2-38 & S. G. Secretary's note thereon

"This is the usual routine statement, that the officers have to send every year. Does it refer to the non-gazetted officers also?"

As per rule 23 of the Government servants' Conduct Rules, the Deputy Commissioners and the Heads of Departments are requested to keep a register of all lands held by themselves and their subordinates in the form prescribed in Appendix B.

This register contains the particulars ~~both~~ with regard to both the gazetted and non-gazetted officers and officials.

What is now required to be sent to Government is only the entries in respect of gazetted officers; the declaration in respect of the non gazetted ~~vacants~~ being received by the Heads of Departments.

Dy. S. to Secy. on C. to.

N.B.—Should routine notes be written on small slips, these notes must be copied, or slips pasted on this form.

Secy. 19/7/38

File: BS 22/8

Sri M.V.N 7/8

TOP PRIORITY.

GOVERNMENT OF MYSORE.

General and Revenue Secretariat,

No.6738-6837/C.B.

Dated, Bangalore, 27th July 1950.

From

The Chief Secretary to the Government of Mysore.

To

The Heads of Departments.
The Secretaries to Government.
The Deputy Commissioners of Districts.

Sir,

SUBJECT:--Government Servants' Conduct Rules--Immovable Properties in Mysore State held or acquired by Government servants--forwardal of extracts from the register maintained as laid down in Rule 23.

References: (1) Official Memorandum No. 11078-11173/C.B. 288-49-1, dated 20th February 1950.
(2) Circular Letter No.1670-1750/C.B.64-50-1, dated 9th May 1950.
(3) Letter No. 4979-5078/C.B. 288-49-3, dated 29th June 1950.
(4) O. M. No. 6196-6280/C.B. 64-50-2, dated 19th July 1950.

I am directed to enquire whether instructions of Government contained in the above mentioned communications have been made known to all the subordinate Officers of your Department, and if so, when this was done.

A reply to this letter may be sent to the Chief Secretary to Government by *return of post.*

Yours faithfully,
K. SRINIVASAN,
Chief Secretary to Government.

TOP PRIORITY.

Government of Mysore.

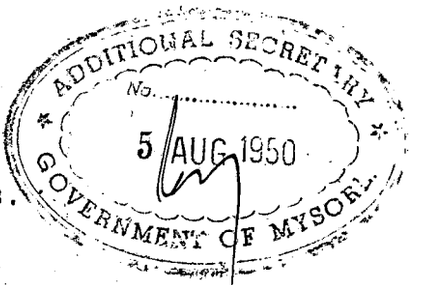
No.7056-7141/C.B 64-50-3.

General and Revenue Secretariat

Bangalore, Dated 2nd/5th August 1950.

From

The Chief Secretary to the Government of Mysore.



To

The Heads of Departments.
The Deputy Commissioners of Districts.

Sir,

SUBJECT:--Government Servants' Conduct Rules--Immovable Properties in Mysore State held or acquired by Government servants--forwardal of extracts from the register maintained as laid down in Rule 23.

REFERENCES:--(1) Official Memorandum No. 11078-11173/C. B. 288-49-1, dated 20th February 1950.
(2) Circular letter No. 1670-1750/C.B. 64-50-1, dated 9th May 1950.
(3) Letter No.4979-5078/C.B.288-49-3,dated 29th June 1950.
(4) O.M. No. 6196-6280/C.B. 64-50-2, dated 19th July 1950.
(5) Letter No. 6738-6837/C.B., dated 27th July 1950.

I am directed to observe that the extracts regarding the above in respect of Government servants irrespective of their being in the gazetted or the non-gazetted ranks are being incorporated into a single statement and forwarded to Government, and that certain subordinate officers are forwarding statements relating to them direct to Government. Instructions issued in the Official Memorandum, dated 19th July 1950 cited above, contemplate that the declarations obtained from Government servants in the non-gazetted ranks should be reviewed by the Heads of Departments and *only extracts in respect of gazetted officers should be forwarded to Government*. A complete list of gazetted officers under your control with individual statements in respect of every one of them incorporating extracts as at the time of their entry into service and as at present may kindly be forwarded to the Chief Secretary without further delay, and the subordinate officers may be instructed not to correspond *direct* with Government.

Yours faithfully,

K. SRINIVASAN,
Chief Secretary to Government.

Copy forwarded with compliments to Secretaries to Government.

OFFICE OF THE CHIEF MINISTER
T. 518
27 JUN 1950
OF MYSORE

New service association rules framed by the

GOVERNMENT OF WEST BENGAL

Finance Department

AUDIT

No. 475F

Order

Calcutta, the 9th March, 1949.

The Government of West Bengal are pleased to issue, in supersession of all previous orders on the subject, the enclosed revised instructions for the recognition by the Government of West Bengal of associations of its employees other than industrial employees. Recognition will be withdrawn where an association does not comply with these instructions.

By order of the Governor,
B. DAS GUPTA.
Secretary to the Government of West Bengal.

INSTRUCTIONS REGARDING THE RECOGNITION BY THE GOVERNMENT OF WEST BENGAL OF ASSOCIATIONS OF ITS EMPLOYEES OTHER THAN ASSOCIATIONS OF INDUSTRIAL EMPLOYEES.

INSTRUCTIONS.

Part (A) Associations of Government employees serving in the departments of the Government of West Bengal, other than those in the Police and Prisons Directorates.

1. No Government Servant shall be a member, representative or officer of, or attend or take part in the meetings or deliberations of, any association or federation representing, or purporting to represent, Government servants or any class of Government servants, unless such association complies with the conditions set out below and has obtained official recognition accordingly, provided that such recognition may be withdrawn in the event of one or more of such conditions being violated.

2. The association must ordinarily consist of a distinct class of Government employees.

3. Every Government employee of the same class must be eligible for membership of the Association.

4. No person who is not in the active service of Government or an honourably ~~required~~ retired officer belonging to the same class of Government employees as the association represents should be an office-holder of an association or shall be allowed to attend or take part in its deliberations or meetings except with the previous permission of Government.

5. The association shall not in any way be connected with, or affiliated to, any association which does not comply with rules 2 and 3.

6. There shall be no federation or union of such associations and no association shall be a member of, or connected with, or affiliated to any such federation or union.

7. No association shall in any way be connected with any political party or organisation or engage in any political activity or debate or deliberate or pass resolutions on any matter which in the opinion of the Government is political in nature.

8. Representations from such association, whether made orally by deputation, or presented in writing, may be received by Government officers notwithstanding anything contained in the rules relating to the submission of petitions and memorials by Government servants :

Provided that—

(a) No representation or deputation will be received except in connection with a matter which is, or raises questions which are, of common interest to the class represented by the association ;

(b) Nothing in these instructions affects the discretion of the Governor, the Hon'ble Ministers, or the head of a department or any other officer of Government to receive or not to receive a deputation from any association.

9. No Association shall—

(i) issue or maintain any periodical publication except in accordance with any general or special order of the Provincial Government ; or

(ii) except with the previous sanction of the Provincial Government publish any representation on behalf of its members, whether in the Press or otherwise, or adopt any method of ventilating its needs or grievances other than communicating them direct to Government or the appropriate Government officers as the case may be.

10. Government may require the submission of copies of the rules of the association or amendments thereto, statements of its accounts including account books and papers, the lists of its members and office-bearers, copies of resolutions and proceedings of its meetings and such other papers and information relating thereto as may be necessary.

11. All representations from associations must be addressed to the head of the department concerned in the first instance and will be forwarded by him to the administrative department of Government which already deals with references regarding that department.

12. The officer who is empowered to grant leave to a government employee will, so far as is possible, grant ~~casual~~ Casual leave to an employee who is a representative of a recognised association to attend duly constituted meetings of the association. The grant of such leave will be subject to the exigencies of the service, of which the officer in question shall be the sole judge.

13. (1) In these instructions, unless the context otherwise requires, "Government" means the Provincial Government and includes a deparment of the Provincial Government or the head of a department subordinate to the Provincial Government.

(2) A department of the Provincial Government may delegate any of its powers under the rules to any authority subordinate to it.

(3) A department of the Provincial Government may issue subsidiary instructions regarding the recognition of associations of classes of Government employees subordinate to it.

Part (B)—Associations of employees in the Police and Prisons Directorates.

The instructions in Part (A) shall be applicable to associations of employees in the Police and Prisons Directorates with the addition of the following clauses to instructions 2 and 10 and the substitution of the following proviso for proviso (a) to instruction 8 :—

Instruction 2. The association shall also consist of such distinct rank or ranks of employees as Government may prescribe.

Instruction 8.—Proviso (a).—No representation or deputation will be received on questions of discipline or of promotion or of posting affecting individuals ; but representations or deputations may be received in connection with a matter which is, or raises questions which are, of common interest to the class represented by the association.

Instruction 10.—No rule of the association shall be valid until it has received the approval of Government and Government may from time to time require the modification of a rule or proposed rule in a particular manner.

Memo. No. 6488 A, dated 10. 10. 49.

Forwarded in continuation of this office No. 2445R, dated 6. 4. 49.

Sd/ S. M. Ghosh.
Asstt. Inspr. Genl. of Police,
West Bengal.

Serial No.

31) A revised draft S.O. is put up for consideration.

(Id) M.B.
14-2-50.

32) Chief Secretary)

(Id) K.M.R.
15-2-50.

33) Issue and Put up to Chief Minister.

(Id) K.S.
17/2

(Id) K.M.R.
17/2/50.

34) Submitted. A Memo to the Director of Printing requesting for the supply of printed copies of the Official Memorandum is put up for approval.??

(Id) M.B.
21-2-50.

35) Issue.

(Id) K.M.R.
22/2/50.

36) Not Issued yet

37) The O.M. is under issue.

We are not calling for the information regarding retired officers, nor are we asking for information about liabilities. I think it is unnecessary to do so. The constitution of a Committee would be not desirable.

(Id) K.S.
28/3

38) Chief Minister).

39) 1. This was discussed in the L.A.

2. Reminders have to be issued, if necessary, to obtain all the statements before 1-7-1950.

3. Revision of Rules may please be worked up.

(Id) K.C.R.
29/3/

Note.—Contn. Sheet.

P.t.o.

Serial No.

40) Has this been sent to Press at all? If not why? Why was no action taken between 22-2-50 and 28-3-50? The C.M. has said on the floor of the L.A. that these have issued on 20-2-50?.

41) Urgent.

(Id) K.S.
30-3-50.

(Id) K.M.R.
31-3-50.

42) Submitted. The receipt of the printed copies of the O.M. is still awaited from the Press.

43) Draft and fair of a reminder to the Director of Printing is put up for approval and signature.

(Id) M.B.
31-3-50.

44) Issue.

(Id) K.M.R.
1-4-50.

No.1/C.B. dated 1-4-50 to the Director of Printing.

45). Action will be taken to obtain the statements from all the Departments before 1-7-50.

46) Regarding points 3. of the Minutes of the Chief Minister dated 29-3-50 in Para 39 above in respect of the revision of Rules for the conduct of Government Servants,

WD 06820—GPB—25,000—26-7-49

General and Revenue Secretariat | File No. 2417/C.B. of 19

Serial No.

reference is invited to A in Para 27 and Para 28 of the foregoing notes wherein it is stated that the question of the revision of Rules will be taken up when additional staff is made available to the C.B.

47) A copy of the Rules in force at present in the State of Madras is received here. Before taking up the revision of Rules, it may be desirable to obtain copies of the Rules that are in force in the States like Bombay and Bengal and in the Union Government.

(Mld) M.B.
1-4-50.

48) Please telephone and get the copies from the Press immediately. It is unfortunate that in the rush of work during the last few days this matter was lost sight of.

49) This may be put up again after the issue of the O.M.

50) Printed copies of the O.M. received today 11-30 A.M. are being sent to the addressees.

O.M.No.11078-11173-C.B.208-49-1 dated 20-2-50 to Secretarys to Government, Heads of Departments and the Deputy Commissioner's.

51) Submitted - Reference Paras 27,28,39,46 and 47.

(Id) M.R.
3-4-50.

52) Questions relating to the revision of rules covering many matters are coming up for consideration, and these have to be carefully studied, compared with similar rules elsewhere, and fresh rules have to be framed, if necessary, to suit the requirements of the

Note.—Contn. Sheet.

P t.o.

Serial No.

new set up. C.B. is finding itself increasingly difficult to handle these new unallotted subjects - without adequate and competent staff to do the work.

53) It is therefore submitted that the revision of the Government Servant's Conduct Rules may either be held over for the present or transferred to another branch.
(Id) 3-4-50.

54) This is a question that has to be dealt with the General Miscellaneous Section of the Medical Branch. It may, for the reasons explained, be transferred to the Medical Branch for further action.

(Id) K.M.R.
4-4-50.

55) Chief Secretary).

56) "A" may be done.

57) The O.M. now issued has to be supplemented by another asking for statement of liabilities also in view of the Chief Minister's statement on the floor of the L.A. Please do this and then transfer the file to G.M.

(Id) K.S.
4-4-50.

(Id) K.M.R.
4-4-50.

58) A draft O.M. is put up for approval.

(Id) M.B.
5-4-50.

59) The Articles of General Circulars and

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Serial No.

Standing Orders quoted in the draft O.M. do not seem to bear on the case.

60) It appears to be necessary clearly to define what is meant by "Liabilities". According to the Dictonary, "Liabilities" mean " debts or pacuniary obligations," and unless defined, may mean almost anything.

61) Please put up a copy of the statement made by the Chief Minister on the floor of the L.A. (printed copy of Proceedings).

(Id)
6-4-50.

62) The Secretary, Legislative Assembly may be requested to send printed copies of the L.A. Proceedings urgently.

63) A routine note in the matter is put up for approval.

(Id)M.R.
7-4-50.

64) Issue.

(Id) K.M.R.
8-4-50.

(Id)
7-4-50.

65) Issued Memo No.532/C.B. to the Secretary, Mysore Legislature.

65) A copy of the Official Report of the L.A. Session (28th March 1950) which was issued only on 25-4-50 is put up herewith, as desired. Reference pages 500-501 of the report containing the statement made by the Chief Minister on the subject.

66) The articles 303 to 306 of the Manual of General Circulars and Standing Orders prescribe rules

t.o.

Note.—Contn. Sheet.

regarding action to be taken on officers who are prove to indebtedness when such a state of affairs is brought to the notice of Government. In addition to this, it is expected of the heads of offices, in accordance with the note at the end of the Article 306, to have a sympathetic watch over their subordinate officers to prevent them, from falling into such circumstances.

67) Further, Article 8(1) of the Prevention of Corruption Act 1948 which was read by the Chief Minister on the floor of the L.A. in this connection reads as follows:---

" The Government.....may require any person who has been or is a public servant to furnish a true and correct statement of all property whether moveables or immovable, income and such other particulars in respect of his own property or income....." Perhaps under this article, the Government may require of persons who are in service as well as who are retired from service to declare their assets as well as liabilities. It may be necessary in the first instance to request the Secretariat in the Law and Legislation Brancnes to examine this aspect and to indicate the lines on which the Official Memorandum in question may be proposed.

(Id) M.B.

27-4-50.

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General and Revenue Secretariat

File No. 2219/C.B. / 2417/C.B. of 19

Serial No.

68) Under existing orders, it does not seem to be obligatory on the part of Government Servants to declare their 'Liabilities' except when specially called upon to do so under the Prevention of Corruption Act or otherwise. The Hon'ble Chief Minister's statement on the floor of the Legislative Assembly does not seem to contemplate anything beyond the existing rules so far as the declarations are concerned.

69) In the circumstances, it is for kind consideration whether another O.M. is necessary calling for information about liabilities also.

70) The issue of such an O.M., if decided upon, would require detailed examination of the legal, administrative and other aspects of the question, and as it may evoke considerable criticism and even legitimate resentment as an inroad into one's private life, the advisability of calling for such statements seems to require most careful consideration of the possible reactions to it.

71) Reference Para 57.

(Id)
28-4-50.

72) Chief Secretary)

(Id) K.M.R.
28-4-50.

73) Please see linked file in which Madras Rules are placed. The Chief Minister has said in the L.A. that our Rules would be revised in the light of Madras and Bombay Rules, and he has also said

p.t.o.

Note.—Contn. Sheet.

Serial No.

that the desirability of extending these rules to pensioners would also be examined.

74) These aspects may be worked up.

(Id) K.S.
28-4-50.

(Id) K.M.R.
28-4-50.

75) The Madras Rules are similar to this Government Rules in the matter of immovable properties held or acquired by Government servants and the insolvency or habitual indebtedness on their part. There is no provision in the Madras Rules for declaration of their liabilities to Government; nor there is any indication of these rules being made applicable in the case of retired Government Servants. If the existing Rules are to be made applicable to retired officers also, they have to be revised under the Prevention of Corruption Act after careful examination as suggested in Para 67 above.

(Id) M.R.
29-4-50.

79). For orders whether issue of an O.M. as instructed at Para 57 may be held over till the question of the revision of the rules is examined, and whether the file may be transferred to the Medical Branch for examining the question as already approved at Para 56 --with special

In these days of high cost of living, it is no wonder that many Government officials are indebted and it is not right or necessary to incorporate it in this.

(Id) L.M.
10-6-1950.

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General and Revenue Secretariat | File No. 2417/C.E of 19

Serial No.

reference to the statement made by the Hon'ble Chief Minister on the floor of the L.A.

(Id) K.
29-4-50

80) The issue of O.M. may perhaps be held over. If approved, the file will be transferred to the Medical Branch for further action as already approved in Para 56 of the Notes.

(Id) K.M.R.
1-5-50

Chief Secretary).

81) Yes.- The Bombay Rules should also be obtained, if not already obtained and examined.

(Id) K.S.
1-5-50.

(Id) K.M.R.
1-5-50.

) Assistant Secretary, Medical, with compliments.)

(Id) M.R.
2-5-50.

O.N.- The relevant extracts from the file re: the submission by officers of the statements of immovable property held by them have been taken in order to watch the receipt the statements in time.
(Id) M.R.
2-5-1950.

Sri M.B.

82) Please remove papers which are not meant for transfer e.g., Notes from Paras 1 to 30.

(Id) K.
2-5-50.

Submitted. The above have been removed, from the file and will be recorded in this Branch.

(Id) M.B.
2-5-50.

Note.—Contn. Sheet.

p.t.o.

Serial No.

84) A draft letter to the Chief Secretary, Bombay Government is put up for approval or orders.

(Id) M.V.N.
6-5-1950.

--Issue.
(Id) M.R.
6-5-50.

Issued letter No.M.2428/8-5-1950 requesting to send a copy of the Rules.

Letter No.O.12-21281-D of 18-5-1950 from the Chief Secretary to Government of Bombay, stating that copies of the Bombay Civil Services Conduct, Discipline and Appeal Rules are under print, and a copy has been arranged to be supplied as soon as they are ready.

85). For favour of perusal with reference to Para 81. The receipt of the same will be awaited.

(Id) M.V.N.
23-5-50.

(Id) B.C.B.
23-5-1950.

(Id) M.R.
23-5-50.

Letter No.D.1401/1950/51 dated 31-5-1950 from the Superintendent, Printing and Stationery Department, Bombay, stating that a copy of the

Serial No.

above will be supplied when ready.

For favour of perusal.

(Id) M.V.N.
9-6-50.

(Id) B.C.B.
10-6-50.

(Asst. Secy. on C.L.)

L.S.G. Secy).

May be awaited.

(Id) L.M.
10-6-1950.

(Id) M.R. 12-6-50.
Chief Minister).

(Id) H.C.D.
17-6-50.

(Id) L.M.
19-6-50.

x(Xd)xMxRxxxx

Publicity Office November 10, 1949

Daily Summary of News

States

Hindu, 10-11-1949

Hyderabad. H.E.H. the Nizam will shortly sign the provisional Instrument of Accession to the Indian Union, subject to ratification by the Hyderabad State Constituent Assembly.

Indian Union

Mail, 10-11-1949

Debt relief to agricultural Labourers The Government of Madras do not propose to extend the provision of the Agriculturists Debt Relief Act to landless agricultural labourers as the question of separate legislation for giving relief to landless agricultural labourers is under their consideration.

Indian Express, 10-11-1949

Preventing textile shortage. As a measure to prevent the shortage of cloth in the country, arising out of unrestrained exports, the Textile Commissioner to the Government of India has asked all textile mills in India not to enter into any fresh contracts for the sale of textiles for exports, the delivery of which is to take place beyond March 1950.

Times of India, 9-11-1949

Tax exemption of Farm machinery. The Government of the Central Provinces are considering proposals for exemption from the Sales Tax of tractors and their spare parts and fuel oil required for agricultural machinery.

Indian Express, 10-11-1949

Zamindari Abolition Fund. It is learnt that a sum of Rs. 1 crore and sixty-five lakhs has been contributed to the United Provinces Zamindari Abolition Fund upto the 3rd November 1949.

Hindu, 10-11-1949

Kerosene imports. The Government of India have decided to increase imports of kerosene oil immediately to meet all the reasonable requirements of the country.

GENERAL & REVENUE SECRETARIAT
15 NOV 1949
MEDICAL BRANCH.

Indian Express, 10-11-1949

Advertisement Tax.

The Finance Minister to the Government of Bombay has said that the Government have no proposal to withdraw the advertisement tax during the current financial year.

Hindu, 10-11-1949

Government Servants' Conduct rules.

The Government of Madras have published a set of revised rules called the Government Servants' Conduct Rules, 1949, to regulate the conduct of Government servants. These are in supersession of the Government Servants' Conduct Rules, 1936.

Indian Republic, 10-11-1949

Currency notes in circulation.

A rise of Rs. 4.51 crores in currency notes under active circulation is revealed in the latest statement of the Issue Department of the Reserve Bank of India for the week ended November 4.

Times of India, 9-11-1949

Settling Labour disputes.

The Government of India are now engaged in drawing up an exhaustive Labour Relations Bill, which they hope will be acceptable to all Governments in India, and which, if loyally and sympathetically worked, should provide practical machinery for the settlement of all bona fide labour disputes, says the Labour Minister, Government of India.

Edn. Secretary

EDUCATION SECRETARIAT
Edn
Date 11/11

D.V. Ramaya
Ag. Publicity Officer to Government.

XX
BSR
Sri S.R 11/11

a copy of the revised rules framed by Labour Dept 11/11

Appendix F. G.—1]

SUBJ.....

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Section

File No.

Serial No.

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 19

Date of issue 22/11/49

Signed by.....

List of enclosures.....

Copied by.....

Examined by.....

No. 5227/CB

To

The Chief Secretary to the Govt. of Madras.

Sir,

Subject Govt. of Madras — Govt Servants' Conduct Rules, 1949

I am directed to request you kindly to forward for reference if there is any objection ~~to the Govt.~~ a copy of the Govt. Servants' Conduct Rules, 1949 published by the Govt. of Madras. ~~for reference.~~

Y. J.
18/11/49
for Chief Secy to Govt

17.11.49

17.11.49

21st November 9

5227/CB

The Chief Secretary to the Government of Madras,

MADRAS.

Sir,

Subject:- Government of Madras -- Government Servants' Conduct Rules, 1949.

I am directed to request you kindly to forward for reference, if there is no objection, a Copy of the Government Servants' Conduct Rules. 1949 published by the Government of Madras

Yours faithfully,

xmR
21/11/49

For Chief Secretary to Government.

mg

Appendix F G—1]

No. 4.

SUBJECT.....

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Section

File No.

Serial No.

Diary No. of letter replied to.....

No.

To The Chief Secy to the Govt of Madras

General and Revenue Secretariat

( )

the *194*

Sir,

Subject - Govt. Servants' Conduct Rules - &

Date of issue.....

I am directed to With thanks acknowledge the receipt of a copy of the rules referred to above sent with your letter no. 4466/49-1 dt 28.11.49

Signed by.....

y.f

16/12

for Chief Secy

List of enclosures.....

mb 30.11.49

Copied by.....

30.11.49

Examined by.....

WD 02703—GPB—17,000—28-4-48

G. M.

To

The Chief Secy.
to Govt. of Madras
Madras

M 10342 & 10/1/50

Sir,

I am directed ~~to refer~~ to take
to the "Hindu" ~~paper~~ dated the 10th
Nov. 49 ~~wherein~~ it is announced
that the Govt. of Madras have
published a set of revised rules
called the "Govt. Servants' Conduct
rules, 1949" to regulate the conduct
of Govt. Servants, and to request
you to be so good as to send two
copies of the same for reference
in this office.

I am

for Secy
9/1/50

for Secy to Govt.
Edn. Department
18/1/1
BB

X misR 18/1

5519

No.187/50-1
GOVERNMENT OF MADRAS,
Public (Services) Department,
Fort St. George, Madras 9,
16th January 1950.

SECRETARY Date 18/1

GENERAL & PUBLIC SECRETARIAT 19 JAN 1950 MEDICAL BRANCH

From

Sri K. Ramunni Menon, I.C.S.,
Chief Secretary to Government,

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Education Department, Bangalore. (with enclosure)

Sir,

Government Servants' Conduct Rules - Copy - Supply of.
Ref. your letter No. M.10342/G.M., dated 10.1.1950.

Re Copy Rules
ME
18/1.

I am directed to enclose herewith two copies of Government Order No. 2793, Public (Services), dated 19.8.1949, containing the rules referred to above.

1) Pl acknowledge
2) What are the rules only
What are not in force

Love
18/1

xg 18/1

Yours faithfully,

Ramswami

(A.G.Appaswami Ayyar)
for CHIEF SECRETARY.

17.1.50

cvn/17.1

M 12659
Dt. 7th Feb 50

To

The Chief Secretary
to the government
of Madras
Madras.

Sir,

I am directed to acknowledge with thanks the receipt of two copies of government order No 2793, public (Services) dated 19-8-1949 containing the rules relating to government servants Conduct Rules, sent with your letter (No 187/50-1 ~~H 10362~~ / ~~G.M.~~ dated 16-1-1950 ~~and thank you for the same.~~

Yours faithfully
for Secy to Govt
Education Dept

DR
6/2/50.
BB.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. M 12659.

General and Revenue Secretariat,

Dated Bangalore, 7th Febry. *19* 50.

FROM

The Secretary to the Government of
His Highness the Maharaja of Mysore,

Education Department.

To

The Chief Secretary to the Government of Madras,
MADRAS.

SIR,

I am directed to acknowledge, with thanks, the receipt of two copies of Government Order No.2793, Public (Services), dated 19-8-1949, containing the rules relating to Government Servants' Conduct Rules, sent with your letter No.187/50-1 dated 16th January 1950.

Yours faithfully,

for Secretary to Government,
Education Department.

SKG2.

Appendix F. G.—1]

SUBJECT.....

.....

.....

Section "not to issue

So File No.

Serial No.

Diary No. of letter replied to..... No. 11648-11173/CB 288-29-1.
O.M. D. 18-2-50

To

General and Revenue Secretariat

( )

the 19

Date of issue.....

Signed by.....

The attention of all Govt. servants is drawn to Rules 22 and 23 under the Rules for the conduct of Govt. Servants regarding immovable property held or acquired by Govt. Servants which are reproduced below.

Heads of Depts/D.Cs are requested to see that all officers under their control send declarations to Govt required under this Rule regularly and promptly, and that the Registers of all lands held by themselves and their subordinates are kept in the prescribed form.

B.O
24/2/50
Asst Secy

Govt. observe that there has been some slackness in the observance of these Rules, and direct that strict observance of the rules is obligatory

To
The Heads of Depts
The Secretaries to Govt.
The D.C's of Districts.

List of enclosures.....

Copied by.....

Examined by.....

MB
30.11.49.

Rule 22 and 23 under Rules for the conduct of Govt. Servants —

Please refer Sect. 287 of Manual of General Circulars and Standing Orders.

Appendix F G—1]

SUBJECT Govt. Servants' Conduct Rules – Immovable property held or acquired by Govt. Servants.

S.O —

Section

File No.

Serial No.

Diary No. of letter replied to .....

Draft O.M

No. 11078-11173/C.B 288-49-1

Dt 18-2-50

To

General and Revenue Secretariat

( )

the 19

Date of issue.....

Signed by.....

1) The attention of all Govt. Servants is drawn to Rules 22 and 23 under the Rules for the Conduct of Govt. Servants regarding immovable property held or acquired by them which are reproduced below

2) Govt. observe that there has been some slackness in the observance of these Rules and direct that strict observance of the rules is obligatory.

List of enclosures.....

Copied by.....

Examined by.....

WD 06818—GPB—25,000—9-7-49

3) Heads of Depts. and Dy. Comrs. are requested to see that all officers under their control send declarations to Govt required under the rules regularly and promptly and that the registers of all lands held by themselves and their subordinates are kept in the ~~prescribed~~ form prescribed in Appendix B of the Manual of General Circulars and Standing Orders. Extracts from these registers for the year 1949 in respect of all officers may ~~kindly~~ be sent to the ~~undersigned~~ Chief Secy. to Govt. not later than 1-7-50.

B. O. of H.H.

115/171

Sumt 15/7/50. Chief Secy.

MB
14.2.50.

Rules for the Conduct of Govt. Servants.

1. Rule 22
2. Rule 23
3. Appendix B 12

14.2.50.

GOVERNMENT OF HIS HIGHNESS THE MAHA[illegible]

General and Revenue Secretariat,

No. 11078-11173/C.D.289-49-1. *Dated Bangalore, 20th February, 1950*

OFFICIAL MEMORANDUM.

Subject:- Government Servants' Conduct Rules - Immovable property held or acquired by Government Servants.

- - -

1. The attention of all Government servants is drawn to Rules 22 and 23 under the Rules for the Conduct of Government Servants regarding immovable property held or acquired by them which are reproduced below.

2. Government observe that there has been some slackness in the observance of these Rules and direct that strict observance of the rules is obligatory.

3. Heads of Departments and Deputy Commissioners are requested to see th all officers under their control send declarations required under the rules Government regularly and promptly and that the registers of all lands held themselves and their subordinates are kept in the form prescribed in Appe of the Manual of General Circulars and Standing Orders. Extracts from registers for the year 1949 in respect of all officers may be sent to th Secretary to Government not later than 1-7-1950.

By Order of His Highness the [illegible]

[illegible] Ramaiah
Chief Secretary to Gov[illegible]

Rule 22.- Every Government servant or candidate for Government ser[illegible] must make to the Government, through the usual channel, [illegible] ration of all immovable property in Mysore, which may, from [illegible] to time, be held or acquired by him or held on mortgage by [illegible] wife or by any member of his family living with or [illegible] dependent upon him.

Such declaration should state the district where such property is situated and should give such further infor[illegible] as the Government may, by general or special order, [illegible]

Rule 23.- The Deputy Commissioners and the Heads of Departments [illegible] to keep a register of all lands held by themselves a[illegible] subordinates in the form prescribed in Appendix IF.

APPENDIX 12.

Register showing lands and other immovable properties in Mysore held by the .....

and his subordinates for the year 19 - 19

Paragraph 288 — Rule 23.

Name of holder	Name of Government officer to whom the holder is related and nature of relationship.	Designation of the office.	Situation of the immovable property.			Description of property.				When and how obtained.	Nature of the interest of the officer in the property	Arrangements made for the management of the property.	Opinion of the Head of the office, whether they interfere with the discharge of the official duties of the officer.	Remarks.
			District.	Taluk.	Village	Survey number of Khanesh mari.	Dry, wet or garden in the case of land & kind of house, i.e., terraced, mudroofed, etc, in the case of house property	Area.	Assessment of Municipal tax.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

No. 11078-11173/C.S.288-49-1. *Dated Bangalore* 20th February, 1950

OFFICIAL MEMORANDUM.

Subject:- Government Servants' Conduct Rules - Immovable property held or acquired by Government Servants.

- - -

1. The attention of all Government servants is drawn to Rules 22 and 23 under the Rules for the Conduct of Government Servants regarding immovable property held or acquired by them which are reproduced below.

2. Government observe that there has been some slackness in the observance of these Rules and direct that strict observance of the rules is obligatory.

3. Heads of Departments and Deputy Commissioners are requested to see that all officers under their control send declarations required under the rules to Government regularly and promptly and that the registers of all lands held by themselves and their subordinates are kept in the form prescribed in Appendix 12 of the Manual of General Circulars and Standing Orders. Extracts from these registers for the year 1949 in respect of all officers may be sent to the Chief Secretary to Government not later than 1-7-1950.

By Order of His Highness the Maharaja,

M.V.N. Ramakrishnaraja

Chief Secretary to Government.

Rule 22.- Every Government servant or candidate for Government service must make to the Government, through the usual channel, a declaration of all immovable property in Mysore, which may, from time to time, be held or acquired by him or held and managed by his wife or by any member of his family living with, or in any way dependent upon him.

Such declaration should state the district within which the property is situated and should give such further information as the Government may, by general or special order, require.

Rule 23.- The Deputy Commissioners and the Heads of Departments are requested to keep a register of all lands held by themselves and their subordinates in the form prescribed in Appendix 12.

APPENDIX 12.

Register showing lands and other immovable properties in Mysore held by the .....

and his subordinates for the year 19 - 19

Paragraph 248 — Rule 23.

Name of holder	Name of Government officer to whom the holder is related and nature of relationship.	Designation of the office.	Situation of the immovable property.			Description of property.				When and how obtained.	Nature of the interest of the officer in the property	Arrangements made for the management of the property.	Position of the head of the office, whether they interfere with the discharge of the official duties of the officer.	Remarks
			District.	Taluk.	Village.	Survey number of khanesshumari.	Dry, wet or garden in the case of land & kind of house, i.e., terraced, mudroofed, etc, in the case of house property	Area.	Assessment of Municipal tax.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

App. F. VI, G. 10

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS

Subject: Government Servants' Conduct Rules — Immovable property held or acquired by Government Servants.

O.M. ~~G.O.~~ No. 11078-11173 | C-B 288-49 | DATED the 20th February 1950.

May this be

i. printed ?	Yes
ii. treated as a standing order ?	Yes
iii. published in the Gazette, English Part ?	—
iv. translated ?	—
v. placed at the disposal of the Press ?	—
vi. published in the Gazette, Kannada Part ?	—

Subd
Revised terms is put up as per minutes
MGB 22/2

Memo. No. 11689/C1 dy. 23/2/50

Forwarded copies to the Director of Printing in Mysore with a request to arrange for the supply of 300 copies of the above order to the Confidential Branch of the Gen & Rev. Secrt. immediately

~~Hon. Ramakrishnaya~~
for Chief Secretary to Govt.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

No. 11073-11173/C.S.238-49-1. *Dated Bangalore, 20th February, 1950*

OFFICIAL MEMORANDUM.

Subject:- Government Servants' Conduct Rules - Immovable property held or acquired by Government Servants.

1. The attention of all Government servants is drawn to Rules 22 and 23 under the Rules for the Conduct of Government Servants regarding immovable property held or acquired by them which are reproduced below.

2. Government observe that there has been some slackness in the observance of these Rules and direct that strict observance of the rules is obligatory.

3. Heads of Departments and Deputy Commissioners are requested to see that all officers under their control send declarations required under the rules to Government regularly and promptly and that the registers of all lands held by themselves and their subordinates are kept in the form prescribed in Appendix 12 of the Manual of General Circulars and Standing Orders. Extracts from these registers for the year 1949 in respect of all officers may be sent to the Chief Secretary to Government not later than 1-7-1950.

By Order of His Highness the Maharaja,

20/2/50

Chief Secretary to Government.

Rule 22.- Every Government servant or candidate for Government service shall must make to the Government, through the usual channel, a declaration of all immovable property in Mysore, which may, from time to time, be held or acquired by him or held and managed by his wife or by any member of his family living with, or in any way dependent upon him.

Such declaration should state the district within which the property is situated and should give such further information as the Government may, by general or special order, require.

Rule 23.- The Deputy Commissioners and the Heads of Departments are requested to keep a register of all lands held by themselves and their subordinates in the form prescribed in Appendix 12.

APPENDIX 12.

Register showing lands and other immovable properties in Mysore held by the .....

and his subordinates for the year 19 - 19

Paragraph 288 — Rule 23.

Name of holder	Name of Government officer to whom the holder is related and nature of relationship.	Designation of the office.	Situation of the immovable property.			Description of property.				When and how obtained.	Nature of the interest of the officer in the property	Arrangements made for the management of the property.	Opinion of the Head of the office, whether they interfere with the discharge of the official duties of the officer.	Remarks.
			District.	Taluk.	Village.	Survey number of Khanesshumari.	Dry, wet or garden in the case of land & kind of house, i.e., terraced, tiled, thatched, etc, in the case of house property	Area.	Assessment of Municipal tax.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Appendix F G—1]

SUBJECT Govt. Servants' Conduct Rules

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *19*

Date of issue 8th May 50.

Signed by Smt M. R. Rao.

List of enclosures.....

Copied by.....

Examined by.....

Section

File No.

Serial No

No. 72428.
8th May 50.

To

The Chief Secretary to
Government of
Bombay.

Sir

I am directed to request you to kindly arrange to forward ~~the supply~~ a copy of the Government Servants' Conduct Rules in force of the Bombay Govt for reference.

Yours faithfully

Section Officer to Govt.
L. & J. Dept.

10/5/50

No. O/12-21281-D,
Political and Services Department,
Bombay Castle, 18th May 1950.

From

Shri M.B.Bhat, I.C.S.,
Chief Secretary to the Government of Bombay,
Political and Services Department.

To

The Secretary to the Government of Mysore,
Local Self Government Department.

Subject :- Government Servants' Conduct Rules.

Sir,

I am directed to refer to your letter No. M.2428, dated the 8th May 1950 on the above subject and to say that copies of the Bombay Civil Services Conduct Discipline and Appeal Rules are being reprinted and the Superintendent, Government Printing and Stationery has been instructed to supply you with a copy as soon as they are ready.

Yours faithfully,

For Chief Secretary to the Government of Bombay,
Political and Services Department.

A17-5.

No.D/ 1401 of 1950/51.

1510

Printing & Stationery Deptt.
Bombay: 31st May, 1950.

To

The Secretary to the Government of Mysore,
Local Self Government Department,
Bangalore.

Sub:- Government Servants' Conduct Rules.

Ref:- Government letter, Political & Services
No.0/12-21281-D, dated 18/5/1950.

Sir,

A copy of the Bombay Civil Services Conduct Dischipline and Appeal Rules will be supplied to you when ready.

Yours faithfully,

Superintendent,
Govt. Printing & Stationery, Bombay.

GPK/29/5.

28

No. D/ 2121 of 1950-51. Printing & Stationery
Bombay: 27th June 1950.

To

The Secretary to the Govt. of Mysore,
General and Revenue,
Secretariat, Bangalore.

Sir,

Subject:- Government Servants' Conduct Rules.

Reference :- Government Letter, Political and Services Department, No.O/12/21281-D, dated 18th May 1950.

A copy of the Bombay Civil Services Conduct, Discipline and Appeal Rules, Financial Publication No.VIII is herewith supplied. Kindly acknowledge the receipt thereof.

Yours faithfully,

Superintendent,
Govt.Printing & Stationery, Bombay.

GOVERNMENT OF ~~HIS HIGHNESS THE~~ MAHARAJA OF MYSORE.

No. M 5093

General and Revenue Secretariat,

Dated Bangalore, August 1950

FROM

The Secretary to the Government of
~~His Highness the Maharaja of~~ Mysore,
Local Self Government Department.

To

The Superintendent,
Government Printing & Stationery,
B O M B A Y.

Sir,

Subject:- Government Servants' Conduct Rules.

I am directed to acknowledge with thanks the receipt of a copy of the Bombay Civil Service ~~Conduct~~ Conduct Discipline and Appeal Rules, referred to in your letter No.D.2121/1950-51, dated 27th June 1950.

Yours faithfully,

FOR SECRETARY TO GOVERNMENT.
L. S. G. DEPARTMENT.

seems to have been mis-sent.
BB 22/8
Sri M.V.N 22/8
MA/-
Rd 22/8
87

7893.
4/9/1950

Diary no
2886

To

The Supdt.
Govt. Printing and
Stationery,
Bombay

Sir,

Subject:- Govt. Servants
Conduct Rules.

I am directed to
acknowledge ~~with thanks~~ the
receipt of a copy of the
Bombay Civil Service Conduct
& Discipline and Appeal
Rules, referred to in your letter
no 2121/1950-519 27.6.1950

Yours faithfully

BB 7/8
for Secy
L&S

4/9/50

GOVERNMENT OF MYSORE

No.4979-5078/C.B.288-49-3

IMPORTANT & IMMEDIATE

General & Revenue Secretariat,
Dated, Bangalore, 29th June 1950.

From

The Chief Secretary to Government of Mysore,
Bangalore.

To

All Heads of Departments.

Sir,

Subject: Government Servants' Conduct Rules - Immovable properties in Mysore State held or acquired by Government servants - forwardal of extracts from the register maintained as laid down in Rule 23.

*****

I am directed to invite reference to the Official Memorandum No.11078-11173/C.B.288-49-1 dated 20th February 1950 and the Circular letter No.1670-1750/C.B.64-50-1 dated 9th May 1950 on the subject cited above.

2.Extracts from the registers maintained as prescribed in Rule 23 showing the immovable properties in Mysore State held by you/ your relatives living with you or in any way dependent on you and your subordinates/their relatives living with them or in any way depending upon them for the year ending 31st March 1950 along with extracts from the register showing the immovable properties in Mysore held by you and your subordinates etc., at the time of your/ their entry into service may kindly be forwarded so as to reach the Chief Secretary to Government not later than the 1st July 1950.

3.The receipt of this letter may kindly be acknowledged and statements called for forwarded immediately.

Yours faithfully,

Chief Secretary to Government.

LC/-

M/8103-4

Dt 13th Dec 1950.

To

The Chief Secretary.
1) Government
Madras.
Madras.

2) Government
Bombay
Bombay.

Sir,

3 copies

I am directed to request you to forward early for reference of this Government copies of Rules or Acts, if any under the provisions of which, the Government Servants may be required to furnish (1) a statement of their immovable property, (2), a statement of their liabilities, and the provisions under which the Retired Government Servants may be required to furnish particulars of properties movable and immovable acquired by them during their Service.

Yours faithfully

GOVERNMENT OF MYSORE.

No. M.18103-4

General and Revenue Secretariat,

Dated Bangalore, 12th Dec. *195* 0.

13 lin

FROM

The Secretary to the Government of Mysore,
Local Self Government Department.
BANGALORE.

To

The Chief Secretary,
Government of Bombay, L M andhery
B O M B A Y.

SIR,

I am directed to request you to forward early for reference of this Government copies of Rules or Acts, if any, under the provisions of which, the Government Servants may be required to furnish, (1) a statement of their moveable property, (2) a statement of their liabilities, and the provisions under which the Retired Government servants may be required to furnish particulars of properties moveable and immoveable acquired by them during their service.

Yours faithfully,

Gro

For Secretary to Government,
L. S. G. Department.

BS/4.

O/c

No.1581/34-D.
Political and Services Department.
Bombay Castle, 23rd December 1950.

From

Shri M.D. Bhat, I.C.S.
Chief Secretary to the Government of Bombay,
Political and Services Department.

To

The Secretary to the Government of Mysore,
Local Self Government Department,
Bangalore.

Subject:- Returns showing the moveable property of Government servants.

Sir,

With reference to your letter No.M/8103-4, dated the 12th/13th December 1950, on the above subject, I am directed to state that the Government of Bombay has not made any Rules or Acts requiring Government servants to furnish statements showing their moveable properties or liabilities. Similarly there is no rule made by this Government requiring pensioners to furnish particulars of the moveable and immoveable properties acquired by them in the course of their service.

I am to add in this connection that this Government has taken up with the Government of India the question of framing a rule requiring Government servants to submit periodical returns showing the moveable properties acquired by them and that the decision of the Government of India in the matter is awaited.

Yours faithfully,

G. H. S.

For Chief Secretary to the Government of Bombay,
Political and Services Department.

Mam/2312

8624

No.4927/50-2.
Government of Madras.
Public (Services) Department.

Madras-9, dated 5th January 1951.

From

Sri K. Ramunni Menon, I.C.S.,
Chief Secretary to the Government
of Madras.

To

The Secretary to the Government of Mysore,
Local Self Government Department,
Bangalore (with encl.)

Sir,

Sub:- Government Servants' Conduct Rules - Submission of statements of movable property and of liabilities by Government servants and retired Government servants.

Ref:- Your letter No.M/8103-4, dated 12/13-12-1950.

I am directed to say that at present there is no statutory provision under which Government servants and retired Government servants may be required to furnish the statements referred to in your letter cited above. Government servants are now required to make a declaration of all immovable property which may from time to time be held or acquired by them or their families. The question of widening the scope of this provision so as to include also the submission of statements of movable property held by them has been under the consideration of the Government of India for some time. Their decision is awaited.

2. With reference to Rule 14 of the Government Servants' Conduct Rules (extract enclosed), it is usual to ask Government servants, who have incurred debts, to furnish statements of their liabilities. The absence of a statutory provision requiring them to furnish such statements has not presented any difficulties so far.

Yours faithfully,

5.1.51

for Chief Secretary to Government.

GVP 5/1.